Case 1:07-cv-02799-MGC Document 4-7 Filed 04/17/2007 Page 1 of 15

IN THE MATTER OF AN ARBITRATION Before The Arbitration Tribunals of the American Arbitration Association

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UBS AG, EXPORTERS INSURANCE COMPANY, LTD., :
ARAB BANKING CORPORATION, NATIONAL BANK :
OF ABU DHABI, and NATIONAL BANK OF OMAN, :

Claimants,

-against-

LAKAH FUNDING LIMITED, HOLDING COMPANY
FOR FINANCIAL INVESTMENTS (LAKAH GROUP),
S.A.E., TRADING MEDICAL SYSTEM EGYPT,
S.A.E., MEDICAL TECHNOLOGY, S.A.E.,
MEDEQUIP FOR TRADING AND CONTRACTING, S.A.E.,
TECHNOWAVE, S.A.E., LIFE CARE
TECHNOLOGY, S.A.E., ARAB STEEL FACTORY, S.A.E.,
RAMY LAKAH, and MICHEL LAKAH,

Respondents.

No. 50 148 T 00251 06

0

AFFIDAVIT OF MAILING OF NOTICE

STATE OF NEW YORK)) ss.: COUNTY OF NEW YORK)

MELISSA SANTIAGO, being duly sworn, deposes and says:

- 1. I am not a party to this proceeding, am over 18 years of age, and am an employee of MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO, P.C.
- 2. On June 9, 2006, I delivered a true and correct copy of the *Demand for Arbitration and Statement of Claim, Notice Pursuant to New York Civil Practice Law and Rules § 7503(c), and Letter Requesting Reasoned Award* herein to each of the following via Federal Express International ("FedEx"):

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MICHEL LAKAH 999 Rue White (701) St. Laurent, Quebec Canada H4M 2X8

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MICHEL LAKAH c/o LBIG Construction 1176 Rue Bishop Montreal, Quebec Canada H3G 2E3

- 3. On June 12, 2006 at 8:43 am local time, delivery of the document package to the St. Laurent address was accepted on behalf of Michel Lakah by a "C. Masse," as confirmed by FedEx. (See Exhibit "A".)
- 4. On June 12, 2006 at 11:51 am local time, delivery of the document package to the Montreal address was accepted on behalf Michel Lakah by a "A. Zydence," as confirmed by FedEx. (See <u>Exhibit "B"</u>.)

Melissa Santiago

Melissa Santiago

Sworn to before me this <u>/3</u> day of April, 2007.

NM Kalaha

NOTARY PUBLIC

NARGES M. KAKALIA Notary Public, State of New York No. 02KA6149879 Qualified in New York County Commission Expires July 17, 2010 Case 1:07-cv-02799-MGC Document 4-7 Filed 04/17/2007 Page 3 of 15

Track Shipments

Detailed Results

Quick Help

Tracking number Signed for by Ship date Delivery date 855977082015 C.MASSE Jun 9, 2006 Jun 12, 2006 8:43 AM

Reference Destination Delivered to Service type Weight

29763-002 ST 1 AUDE

ST. LAURENT, PQ Guard/Security Station

Priority Pak 3.2 lbs.

Status

Delivered

Date/Time		Activity	Location	Details
Jun 12, 2006	8:43 AM 8:30 AM	Delivered	ST. LAURENT, PQ	
	5:02 AM	On FedEx vehicle for delivery At local FedEx facility	ST LAURENT, PQ ST LAURENT, PQ	
Jun 10, 2006	7:19 AM 7:19 AM	Int'l shipment release Int'l shipment release	MIRABEL, PQ MIRABEL, PQ	
	6:25 AM 3:58 AM	At dest sort facility	MIRABEL, PQ	
	12:48 AM	Departed FedEx location Departed FedEx location	INDIANAPOLIS, IN NEWARK, NJ	
Jun 9, 2006	10:54 PM 10:40 PM	Arrived at FedEx location Left origin	NEWARK, NJ NEW YORK, NY	
	8:31 PM	Picked up	NEW YORK, NY	

Subscribe to tracking updates (optional)

Your Name:	Your Email Addre	Your Email Address:					
Email address	Language	Exception updates	Delivery				
	English		updates				
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Select format: HTML Add personal message: Not available for Wireless non-English characters.			all mercentures and a second				

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	Tracking ASS9 7708 2015 form.	Commodity Description REQUIRED REQUIRED REQUIRED REQUIRED REQUIRED REQUIRED COMPLETE IN ENGLISH. COMPLETE IN ENGLISH. COMPLETE IN ENGLISH.
	This is not authorize to deliver this shipment without a recipient signature. For Completion Instructions, see back of fifth page.	3 Shipment Information For EU Only: Tick harp if goods are not in thes circulation and growide C.l. Total Packages Total Shipper Load and Weight DIM DIM / W / N / N / N / N / N / N / N / N / N
	Required Signature Use of this Air Waybil constitutes your agreement to the Conditions of Contract on the back of this Air Waybil and you represent that this shipment does not require a U.S. State Department License or combin dangenous goods. Cardin immedional treates, including the Marsaw Convention, may apply to this shipment and limit our liability for demage, loss, or delay, as described in the Conditions of Contract. **WARNING: These commodities, technology, or software were exported from the United States in accordance with Contract. **Signature:** Signature:** **Signature:** **Signature:** **The State of the Contract of the Conditions of Contract of the Conditions of Contract of the Conditions of Contract. **Signature:** **Signature:** **The State of the Contract of the Conditions of o	City St. Laurent State Province Quebec Country CANADA ZIP Recipient's Tax ID number for Custom's purposes 14. SSTIREZYNTINUEN, or as locally required
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	6 Special Handling I HOLD at FedEx Location SATURDAY Delivery Available to select locations for FedEx Inst. Pricety only	Address LLL BRD AVE FL 24
	☐ FedEx Envelope ☐ FedEx Tokg Box* ☐ FedEx Tokg Box* ☐ FedEx 25kg Box*	Address
	5 Packaging "These unique bown boxes with special printing are provised by Fedick for Fedick and Friends only.	COMPANY MINTZ LEVIN COHN ATTY AT LAW
Air	FedEx Intl. Economy FedEx Consigne and FedEx Palx retain of evaluation	Name GASAM beng Phone 212 692-6716
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Case 1:07-cv-02799-MGC Document 4-7 Filed 04/17/2007 Page 6 of 15

Track Shipments Detailed Results

(?) Quick Help

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Tracking number
Signed for by
Ship date
Delivery date

855977082048 A.ZYDENCE Jun 9, 2006 Jun 12, 2006 11:51 AM

Reference Destination Delivered to Service type

Weight

29763-002 MONTREAL, PQ Receptionist/Front Desk Priority Pak

3.2 lbs.

Status

0.

Delivered

Date/Time		Activity	Location	Details
Jun 12, 2006 Jun 10, 2006	11:51 AM 8:39 AM 6:19 AM 7:19 AM 7:19 AM 6:25 AM	On FedEx vehicle for delivery	MONTREAL, PQ ST LAURENT, PQ ST LAURENT, PQ MIRABEL, PQ MIRABEL, PQ MIRABEL, PQ	Details
Jun 9, 2006	3:58 AM 12:48 AM 10:54 PM 10:40 PM 8:27 PM	Departed FedEx location Departed FedEx location Arrived at FedEx location Left origin Picked up	INDIANAPOLIS, IN NEWARK, NJ NEWARK, NJ NEW YORK, NY NEW YORK, NY	

Signature proof Email results Track more shipments	Signature proof. Email resu	ilts: Frack more shipments
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Subscribe to tracking updates (optional)

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Questions? Visit our Web site at fedex.com. Or in the U.S., call 800.247.474. Outside the U.S., call your local FedEx office.

SED attached (provide export license no. and exp. deta or license exception symbol, w/ECCN if applicable)

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Sender's Copy	Not all services and options are available to all destinations.	be shipped using this Air Waybill.													200	PART 158403-Rev. Date 10/03 ©1994-2003 FedEx PRINTED IN U.S.A.	2040		
	Packages up to 150 lbs. / 68 kg For packages over 150 lbs. (68 kg), use the FodEx Expended Service Int. Air Waybill.		These unique brown baxes with special pricing are provided by fedEx Intl. Priority only.	Fedex Box Fedex Tube	End's Ired Delocity onto	fine frame and the second	Cash Card Card Check Check Check Check Check Check Check Check		ALL shipments can be subject to Customs charges, which FedEx does not estimate prior to clearence.		First 24 characters will appear on invoice.		is of Contract on the back of this Air S. State Department License or contain saw Convention, may apply to this and in the Conditions of Contract	exported from the United States in n contrary to U.S. law prohibited.	ignature.	ack of mur page.	L B	fedex.com,	sultour local office for specific information.
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IN THE MATTER OF AN ARBITRATION
Before The Arbitration Tribunals of the
American Arbitration Association

UBS AG, EXPORTERS INSURANCE COMPANY, LTD., ARAB BANKING CORPORATION, NATIONAL BANK OF ABU DHABI, and NATIONAL BANK OF OMAN,

Claimants.

-against-

LAKAH FUNDING LIMITED, HOLDING COMPANY
FOR FINANCIAL INVESTMENTS (LAKAH GROUP),
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S.A.E., MEDICAL TECHNOLOGY, S.A.E.,
MEDEQUIP FOR TRADING AND CONTRACTING, S.A.E.,
TECHNOWAVE, S.A.E., LIFE CARE
TECHNOLOGY, S.A.E., ARAB STEEL FACTORY, S.A.E.,
RAMY LAKAH, and MICHEL LAKAH,

Respondents.

No. 50 148 T 00251 06

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AFFIDAVIT OF DELIVERY OF NOTICE

STATE OF NEW YORK)) ss.: COUNTY OF NEW YORK)

MELISSA SANTIAGO, being duly sworn, deposes and says:

- 1. I am not a party to this proceeding, am over 18 years of age, and am an employee of MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO, P.C.
- 2. We ascertained through an independent investigation in mid-2006 that the then current residence address of respondent Ramy Lakah was 24 Rue Galileé, Paris 16 eme, France.
- 3. On July 20, 2006, under instruction from French counsel, a local bailiff proceeded with the delivery of the attached *Demand for Arbitration and Statement of Claim, Notice Pursuant to New York Civil Practice Law and Rules § 7503(c), and Letter Requesting Reasoned Award* upon respondent Ramy Lakah at the above-referenced address.
- 4. Also as required under French law, since Mr. Lakah reportedly did not respond at his residence at the time delivery was attempted, the bailiff verified the accuracy of the address, left a formal notice to Mr. Lakah at the guardian lodge and sent

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a copy of this notice to Mr. Lakah via post mail. A true and correct copy of this notice is attached hereto as Exhibit "A".

- 5. A true and correct copy of the bailiff's official statement is attached hereto as Exhibit "B".
- 6. We have been advised by French counsel that this process complied with French law regarding service of process.

Melissa Santiago

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Sworn to before me this 16th day of April, 2007

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NOTARY PUBLIC

NARGES M. KAKALIA Notary Public, State of New York No. 02KA6149879 Qualified in New York County Commission Expires July 17, 2010 Case 1:07-cv-02799-MGC Document 4-7 Filed 04/17/2007 Page 11 of 15

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O Case 1:07-cv-02799-MGC Document 4-7 Filed 04/17/2007 Page 13 of 15

Exhibit B

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S.C.P. J.-C. DAIGREMONT - E. CHAPUIS Huissiers de Justice associés 10,rue Pergolèse 75116 PARIS Tél: 01 44 17 99 77 Télécopie: 01 44 17 99 70

L'AN DEUX MILLE SIX ET LE VINGT JUILLET

A LA DEMANDE DE :

SECOND ORIGINAL

0

La Société UBS AG, Société de droit Suisse "Aktiengesellschaft", dont le siège social est Bahnhofstrasse 45, CH-8001 ZURICH - SWITZERLAND, agissant poursuites et diligences de ses représentants légaux y domiciliés en cette qualité.

Elisant domicile en l'Etude

SOCIETE CIVILE PROFESSIONNELLE JEAN-CLAUDE DAIGREMONT et ERIC CHAPUIS, HUISSIERS DE JUSTICE ASSOCIES, AUDIENCIER PRES LE TRIBUNAL DE GRANDE INSTANCE DE PARIS, Y RESIDANT, 10, RUE PERGOLESE, 75116 PARIS, L'UN D'EUX SOUSSIGNE,

SIGNIFIE ET REMET A

IS AG

Monsieur Ramy Raymo<u>n</u>d LAKAH 2¼ Rue Galilée 75116 PARIS OU ETANT ET PARLANT A, COMME CI-APRES

Des documents établis en anglais, relatifs à la procédure d'arbitrage engagée au Etats Unis (Notification, demande d'arbitrage et exposé des motifs, pièces justificatives).

SOUS TOUTES RESERVES
Coût provisoire:
ART 6:D.FIXE 38,40 TAXE FORFAIT 9,15 ART18:TRANSP 6,10
Total H.T.: 53,65 Total TVA: 8,72 Total T.T.C. 62,37

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SIGNIFICATION DE L'ACTE

WΑ

Acte: 4027 SIGNIFICATION

Date: 20/07/06

Dossier ...: 9401250 UBS AG /MR LAKAH

Cet acte a été remis, par un clerc assermenté, suivant les déclarations faites à celui-ci dans les conditions indiquées ci-dessous :

DEPOT A L'ETUDE

N'ayant pu obtenir sur place d'indications sur le lieu où rencontrer le destinataire de l'acte, les circonstances, détaillées ci-après, rendant impossible la remise à personne ou à une personne présente, vérifications faites que le destinataire demeure bien à l'adresse indiquée, la copie de l'acte pour

>01<

Monsieur Ramy Raymond LAKAH

a été déposée en notre étude sous enveloppe fermée ne portant que l'indication des nom et adresse du destinataire de l'acte et le cachet de l'huissier apposé sur la fermeture du pli.Un avis de passage a été laissé au domicile conformément à l'article 656 du N.C.P.C et la lettre prévue par l'article 658 du N.C.P.C. comportant les mêmes mentions que l'avis de passage et rappelant les dispositions du dernier alinéa de l'article 656 du N.C.P.C. a été adressée au destinataire avec copie de l'acte le 21/07/06.

Détail des vérifications :

1

Circonstances rendant impossible la signification à personne : destinataire absent

Le nom figure sur interphone. L'avis de passage déposé à la loge de la gardienne.

Domicile certifié par un gérant d'un restaurant situé au 21 Rue Galilée.

Chaque copie du présent acte comprend: 300 feuilles.

COUT en Euros	Enregis	tré
ART 6:DROIT FIXE	38,40	
VAC. 16-1	100,00	
ART 18: FRAIS DE DEPLACEMENT	6,10	
SOUMIS à T V A 19,600 %		
	144,50	
T. V. A.	28,32	
TAXE FORFAITAIRE	9,15	
ART 20:FRAIS D'AFFRANCHISSEMENT	0,53	
		Visa par l'Huissier
тотаь	182,50	de Justice des mentions relatives à la signification

Maître DAIGREMONT

Life Pergoi?